

Draft Decision Notice and Finding of No Significant Impact for the Sullivan Creek Recreation Sites Project

USDA Forest Service
Newport-Sullivan Lake Ranger Districts
Colville National Forest
Pend Oreille County, Washington

Introduction

The Sullivan Creek recreation sites are popular camping and day use sites distributed along the Sullivan Creek Road (National Forest System [NFS] Road 2220) and the Sullivan Lake Road (County Road 9345). Conditions at these sites have deteriorated in the past 10 years. Problems such as compacted soil, streambank erosion, increased stream sedimentation, vegetation trampling and loss, tree damage and mortality, vandalism, litter, and human waste accumulation are occurring.

The Sullivan Creek Recreation Sites Project is part of a broad effort to recover native fish populations in Sullivan Creek and other tributaries that flow into Boundary Reservoir on the Pend Oreille River. Westslope cutthroat trout have declined in recent history from habitat loss and competition for food resources with non-native trout, primarily brook trout. Though currently only observed at the mouth of Sullivan Creek, bull trout may move further into the system following the removal of and restoration at Mill Pond Dam (currently in progress) located at river mile 3.9 of Sullivan Creek. Currently, westslope cutthroat trout are considered a sensitive species by Region 6 of the U.S. Forest Service (USFS) and the U.S. Fish and Wildlife Service (USFWS) lists bull trout as threatened.

As a condition of the Boundary Hydroelectric Project (FERC Project No. 2144-038) License Settlement Agreement, Seattle City Light (SCL) agreed to restore aquatic habitat at 38 identified recreation sites on NFS Lands along Sullivan Creek. These 38 sites were identified by the Forest Service and correspond with sites signed and numbered on the ground. The 38 sites represent a mix of campsites, day-use sites, and sites that have been closed to vehicles and overnight camping. The project is being completed in accordance with the Boundary Hydroelectric Project Fish and Aquatics Management Plan (FAMP), which was prepared by SCL to describe the measures that would be implemented over the relicensing period to protect fish and aquatic resources. The habitat restoration component of the FAMP includes the improvement of resource conditions at the Sullivan Creek recreation sites, which directly affect native fish habitat and populations.

While the initial focus of the Sullivan Creek recreation sites project is to improve fish populations through improvement of streambank and floodplain conditions, the Forest

Service also seeks to improve and maintain a sustainable recreation experience at the recreation sites through the project.

There is a need for defining and delineating recreation sites along Sullivan Creek to minimize bank instability and soil erosion, minimize soil compaction outside of core recreation site areas, and improve and maintain a sustainable recreational experience in the Sullivan Creek recreation sites. There is also a need for improving sanitation, and reducing the potential for human-animal (e.g. grizzly bear) conflicts at the sites.

The purpose of the project is to:

- Improve watershed and aquatic function and native fish habitat in Sullivan Creek;
- Reduce the potential for human-bear conflicts;
- Maintain and improve long-term sustainable camping opportunities for the public.

The environmental assessment documents the analysis of four alternatives to meet this need and is incorporated by reference.

Decision

Based on the analysis described in the environmental assessment, resource reports in the project record, close consideration of the public input received through scoping, collaboration, and comments, I have decided to implement Alternative 1. Alternative 1 includes a suite of treatments listed below. Specific treatments from the list below that will be applied to each site are detailed in the EA (pages 13-15), the Restoration Plan for Alternative 1 (Appendix C) and the site plans and specifications for each site (Appendix D).

- Relocate and/or install campfire rings in locations that minimize ecological impacts, potential fire hazards and provide a more sustainable and enjoyable camping experience at the site;
- Relocate and/or add bear boxes in locations conveniently close to parking areas to help promote safe food storage;
- Install barrier rock to clearly delineate parking areas and define camping use areas for easier public understanding of designated site locations;
- Iceberg certain areas to delineate camping areas and encourage revegetation of impacted areas. Iceberging is a technique where angular rock (5-8 inches in diameter) is mixed with soil and seed creating a surface unsuitable for tents;
- Decompact soils, including ripping of un-needed access routes and compacted soils to encourage revegetation;
- Replant streambanks, riparian zones, and/or other impacted areas to reduce erosion and sedimentation, promote ecological function, and delineate safe public access paths;

- Fully or partially (convert to day use only) close degraded sites in the floodplain when other restoration actions are not feasible. Closure techniques will include placement of barrier rock, iceberging, and plantings;
- Update the site numbering system for sites open to camping (Final Site Numbers);
- Install a vault toilet at the Moon Flat site;
- Convert the North Fork Sullivan site (DRS-1) to day use only to improve sanitation and minimize erosion, sedimentation, soil compaction, and impacts to riparian vegetation.
- Increase the number of camping sites at DRS-2-4 (Moon Flat sites); DRS-14 (Conto Gulch), DRS-20 (John's Creek), and DRS-38 and 39 (Gypsy Meadows) to maximize the number of camping sites near restroom facilities and improve sanitation;
- A new group kitchen area, additional highline poles, and two interpretive signs describing the history of the Civilian Conservation Corps will be installed at Gypsy Meadows
- Closure of DRS-17 to camping and day use to facilitate stream restoration in the adjacent reach of Sullivan Creek;
- A campground complex host site will be constructed at DRS 14;
- Routine monitoring of sites for hazard trees, vandalism, expansion of site footprints, and other user-created features will be conducted.

Connected actions associated with alternative 1 (detailed in Appendices C and D of the EA) include:

- Conversion of the 0.1-mile NFS Road 2200231 to an access path at DRS-5. The road is currently an open Maintenance Level 2 road;
- Decommissioning of the 0.8-mile NFS Road 2200280 at DRS-27. The road is currently a closed Maintenance Level 1 road;
- Felling of hazard trees within the project area, and clearing of vegetation for construction of new recreation sites.

There will be a total of 43 overnight campsites along Sullivan Creek under alternative 1.

Rationale for the Decision

I selected alternative 1 because it best meets the purpose and need for the project of improving watershed and aquatic function in Sullivan Creek, and maintaining and improving sustainable camping opportunities. In addition, alternative 1 best addresses comments from the public received during the scoping period and EA comment period.

I considered the comments received from several horse groups in support of the Gypsy Meadows site plan included in alternative 1, which was developed in collaboration with horse groups in response to scoping comments.

I considered existing resource conditions at the recreation sites (EA Appendices A and C) and the popularity of the existing recreation sites along Sullivan Creek, and determined that alternative 1 best balances the need to improve resource conditions and improve sustainable recreation opportunities.

Other Alternatives Considered

In addition to the selected alternative, I considered three other alternatives. A comparison of these alternatives can be found in Table 5 of the EA.

No Action

General treatment of the Sullivan Creek Recreation Sites was included in the FERC-issued Final Environmental Impact Statement (FEIS), in 2011 to address the effects of Seattle's Boundary dam relicense. However, the no action alternative for the purposes of this analysis assumes that there would be no additional treatment of the Sullivan Creek recreation sites as a means to compare alternatives in this analysis. The no action alternative is the only alternative where fees are not proposed. There are a total of 45 overnight campsites along Sullivan Creek under the no action alternative.

Proposed Action

The proposed action alternative was developed by the Forest Service and Seattle City Light to address the purpose and need of the project within the constraints of the Forest Plan. The proposed action would install restoration treatments at the Sullivan Creek recreation sites and includes the installation of a new restroom at the Moon Flat site. The proposed action also includes charging a fee for camping at designated sites. There would be a total of 38 overnight campsites along Sullivan Creek under the proposed action.

Alternative 2

This alternative would allow camping at sites outside the floodplain (the area adjacent to Sullivan Creek) and within close proximity to a restroom facility. Day use sites outside the floodplain would remain open. All other sites would be closed and rehabilitated to minimize resource impacts to soil, water, fisheries, and riparian areas. Improvements in sites that would remain open would be the same as alternative 1. There would be a total of 29 overnight campsites along Sullivan Creek under alternative 2.

Public Involvement and Scoping

The Sullivan Creek Recreation Sites project has been listed on the Colville National Forest Schedule of Proposed Actions (SOPA) since October 2016, and has appeared in the SOPA since that date. The EA describes the public engagement process leading up to the issuance of the EA (pages 6-7), and how public comments from the scoping process and public meetings were used to develop alternatives 1 (EA page 13) and 2 (EA page 16). Additional details on this process are included in the project record.

The 30-day public comment period for the Sullivan Creek Recreation Sites project environmental assessment began on April 18, 2018 with the publication of a legal notice

in the Newport Miner. The draft environmental assessment was made available on the Colville National Forest website at: <https://www.fs.usda.gov/project/?project=49882>. Letters to inform potentially interested members of the public of the comment period were sent to approximately 120 individuals, organizations and federal, state, and local government agencies. Twenty-three comment letters were received during the 30-day comment period. Comments and responses are summarized in Table 1.

Twenty individual comment letters were received from members of the Northeast Washington Chapter of the Backcountry Horsemen and the North Idaho Saddle Mule Club. A comment on behalf of one-hundred twelve members of the Backcountry Horsemen was also received. All comments from the horse groups were supportive of alternative 1 because it enhances horse camping opportunities and access to horse trails in the vicinity of Gypsy Meadows. One comment from an individual was also received in support of alternative 1.

A comment letter from Pend Oreille County Commissioner Steve Kiss was also received in favor of alternative 1 because it best considers the needs of horse groups at Gypsy Meadows, and fosters needed partnerships for trail maintenance. Additional comments in this letter outside the scope of this project are in the project file and will be considered for future projects.

Tribal Government Consultation

Tribal government consultation began with letters sent to the Confederated Tribes of the Colville Reservation, the Spokane Tribe, and the Kalispel Tribe of Indians on July 12, 2016. Input was received from the Spokane Tribe that the project was determined to be in the Kalispel Tribe area. The Forest received a response from the Confederated Tribes of the Colville Reservation during the 30-day EA comment period that the Tribes had no question or comments on the project.

Finding of No Significant Impact

The Forest Service is responsible for evaluating the effects of the project relative to the definition of significance established by CEQ regulations (40 CFR 1508.13). The determination from this review is that the Sullivan Creek Recreation Sites project will not have a significant effect on the quality of the human environment. As a result, an environmental impact statement will not be prepared. The rationale for this finding is as follows:

Context

For the selected actions, the context of the environmental effects is based on the environmental analysis in the EA and resource reports. The setting of this project is limited to northern Pend Oreille County, and specifically the Sullivan Creek Recreation Sites project area.

This decision is consistent with similar activities implemented in the past by the Colville National Forest, which lead toward achieving the goals, objectives, and requirements in

the Forest Plan, while meeting the purpose and need of the EA. The project is a site-specific action that does not have international, national, regional, or statewide importance. The physical and biological effects of the selected action were analyzed at the appropriate scales.

In a local context, my decision will not pose significant short or long-term effects. The proposals relatively small scale limits its effects on natural resource values and uses. The goal of this project is to improve resource conditions at the Sullivan Recreation Sites. Using the design elements (EA pages 34-36) included in my decision will minimize and avoid potential impacts while also allowing some areas to recover.

Intensity

Intensity is a measure of the severity, extent, or quantity of effects, and is based on information from the effects analysis of this EA and the references in the project record. The effects of this project have been appropriately and thoroughly considered with an analysis that is responsive to concerns and issues raised by the public. The agency has taken a hard look at the environmental effects using relevant scientific information and knowledge of site-specific conditions gained from field visits. My finding of no significant impact is based on the context of the project and intensity of effects using the ten factors identified in 40 CFR 1508.27(b).

1) *Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on the balance the effects will be beneficial.*

The interdisciplinary team analyzed the direct, indirect, and cumulative effect of four alternatives concerning treatment of recreation sites along Sullivan Creek. The proposed action was conceptualized based on interdisciplinary team input and public input. Alternatives 1 and 2 were refined from the proposed action based on internal and public comments.

While the analyses documented in the EA (Chapter 3) and resource reports in the project record state the potential for some direct, indirect, and cumulative effects in the short term in the context of the analysis area, the design elements (EA pages 34-36) assure that there will be no significant effects from the Project. These analyses contribute to my understanding of the potential effects of the alternatives and confirm that there will be no significant impacts to those resources.

2) *The degree to which the proposed action affects public health or safety.*

This type of action has been authorized many times on the Forest with no impact to public health and safety. There are no unusual or unique affects to the public health or safety from the Project. Based on the discussions in the EA and review of many similar projects, effects to public health are safety are determined not to be significant.

3) *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The Sullivan Creek Recreation Sites project area contains no prime farmland or prime rangelands defined in Forest Service Handbook 1909.15, section 65.21 (EA page 94), wild and scenic rivers, or ecologically critical areas.

One of the goals of the project is to move recreation sites out of sensitive areas, including wetlands, and minimize impacts of recreation on wetlands along Sullivan Creek. The project is located primarily in the floodplain of Sullivan Creek, outside of wetlands. The project will avoid long and short-term adverse impacts to floodplains and wetlands by managing recreational use within the floodplain. Project treatments will avoid wetlands and to prevent further degradation of wetland features (EA page 94).

4) The degree to which the effects on the quality of the human environment are likely to be highly controversial.

There is no known scientific controversy over the impacts of the project. Internal and public scoping identified no scientific controversy over the potential effects on the quality of the human environment of the project. Data from past projects and the best available science informed alternative 1, and design elements (EA pages 34-36) and monitoring will ensure that alternative 1 will produce the desired outcomes.

5) The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Alternative 1 was designed to minimize unique or unknown risks. In addition, implementation of design requirements and Best Management Practices (EA pages 34-36) will ensure the effects will be similar to those predicted in the EA. There were no highly uncertain, unique, or unknown risks identified in any of the effects analyses conducted for the EA (EA, Chapter 3, pages 37-93).

6) The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The watershed and recreation improvement activities in alternative 1 are similar to other actions that have been and will continue to be implemented across the Colville National Forest. The activities are within the scope of the Forest Plan and are not expected to establish a precedent for future actions.

7) Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The analysis completed for the EA demonstrates that there are no significant cumulative effects on the environment, either when combined with the effects created by past and reasonably foreseeable projects or the effects from natural changes taking place in the environment (EA Chapter 3).

8) The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in the National Register of Historic Places or may cause loss or destruction of significant cultural or historical resources.

The action will not cause loss or destruction of significant scientific, cultural, or historical resources because heritage sites will be protected during future site-specific implementation. Tribal consultation has occurred and supports protective measures proposed. Determination for the project is a “no effect” undertaking, as per Programmatic Agreement Among the USDA Forest Service (PNW R6), The Advisory Council of Historic Preservation, and the Washington State Historic Preservation Office Regarding Cultural Resource Management on National Forests in the State of Washington (1997) (EA pages 92, 94 Heritage Resources; Cultural Resources Report Project Record).

9) The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act.

This project is covered under an existing Biological Opinion (BiOp) prepared by the United States Fish and Wildlife Service for the Federal Energy Regulatory Commission relicensing of Boundary Dam and surrender of the Sullivan Creek Project license (EA pages 57-59). A project-specific biological evaluation (BE) was prepared for Sullivan Creek Recreation sites project. Because effects determinations in the project-specific BE were within the scope of the BiOp, U.S. Fish and Wildlife Service (USFWS) provided an email (June 18, 2018) of support concurring that additional consultation was not needed. Project effects calls are summarized below in Table 1 and in the EA, Table 12.

Table 1. BiOp and project effects calls.

Species Name (Scientific Name)	USFWS 2012 BiOp Effects Determination	ESA Effects Determination and Rationale
Bull trout (<i>Salvelinus confluentus</i>)	Likely to Adversely Affect	No Effect
Yellow-Billed Cuckoo (<i>Coccyzus americanus</i>)	Not included in the BiOp effects determination as species was not listed at the time.	No Effect
Canada Lynx (<i>Lynx canadensis</i>)	May Affect, Not Likely to Adversely Affect	May Affect, Not Likely to Adversely Affect
Grizzly Bear (<i>Ursus arctos horribilis</i>)	May Affect, Not Likely to Adversely Affect	May Affect, Not Likely to Adversely Affect
Woodland Caribou (<i>Rangifer tarandus caribou</i>)	May Affect, Not Likely to Adversely Affect	May Affect, Not Likely to Adversely Affect
North American Wolverine (<i>Gulo gulo luscus</i>)	Not included in the BiOp effects determination as species was not listed at the time.	Will not jeopardize the continued existence

Design elements (EA 34-36) will ensure that the project will not adversely affect endangered or threatened species or habitat.

10) Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.

Alternative 1 of the Sullivan Creek Recreation Sites project complies with Federal, State, and local laws and requirements imposed for the protection of the environment. See the discussion of consistency with laws, regulations, and policies on pages 8 and 9 of this document and pages 4-6 of the EA.

Findings Required by Other Laws and Regulations

As discussed in the EA (pages 93 and 94), the project is consistent with all applicable laws and regulations.

The decision is consistent with the 1988 Colville National Forest Land and Resource Management Plan and applicable amendments, including the 1993 Inland Native Fish Strategy (INFISH). The project was designed in conformance with Forest Plan and INFISH direction and incorporates appropriate standards and guidelines. The project includes monitoring to ensure the project is implemented as proposed. This decision also complies with the procedural requirements of the National Environmental Policy Act of 1969, as amended.

The project is consistent with the Clean Water Act and complies with the Forest Service's responsibilities under this Act. The hydrology section of the EA (pages 37-56) describes Clean Water Act compliance.

No adverse or discriminatory effects to civil rights, minority groups, or women are expected from the project. All contracts and employment offered by the Forest Service contain Equal Employment Opportunity requirements.

Conclusion

After considering the environmental effects described in the EA and specialist reports, I have determined that alternative 1 will not have significant effects on the quality of the human environment considering the context and intensity of impacts (40 CFR 1508.27). Thus, an environmental impact statement will not be prepared.

EXPECTED IMPLEMENTATION AND OBJECTION RIGHTS

This decision is subject to objection pursuant to 36 CFR 218 and must meet all of the requirements of 36 CFR 218.1.8. A written objection, including attachments, must be postmarked or received within 45 days after the date that notice of this draft decision is published in the *Newport Minor*. Objections may be:

- Electronic objections in common formats (.doc, .docx, .rtf, .pdf, or .txt) may be submitted to objections-pnw-colville@fs.fed.us. Please put OBJECTION and "Sullivan Creek Recreation Sites Project" in the subject line.
- Mailed or hand delivered to Rodney Smoldon, Forest Supervisor, Objection Reviewing Officer, Colville National Forest, 765 S Main Street, Colville, WA 99114. The office business hours for those submitting hand delivered objections are 8:00 am to 4:30 pm Monday through Friday, excluding holidays. Objections

delivered by mail must be received before the close of the fifth business day after the objection filing period.

The signatory(ies) or holder(s) of a written authorization to occupy and use National Forest System land covered under 36 CFR §214 (e.g., special use permit) who seeks relief from a written decision related to that authorization may file an appeal pursuant to 36 CFR §214. Any written notice of appeal under this authority must be fully consistent with 36 CFR §214.8, "Appeal Content."

It is the responsibility of those who object to the draft decision to provide the Regional Forester sufficient written evidence and rationale to show why my decision should be changed or reversed. The written notice of objection must:

- State that the document is a Notice of Objection filed pursuant to Title 36 CFR Part 218;
- List the name, address, and if possible, a telephone number of the objector;
- Identify the decision document by title and subject, date of decision, and name and title of the Responsible Official;
- Identify specific change(s) in the decision that the objector seeks or portion of the decision to which the objector objects; and
- State how the draft decision fails to consider comments previously provided, either before or during the comment period specified in Title 36 CFR §315.6 and, if applicable, how the objector believes the decision violates law, regulation or policy.

If no objection is received during the 45-day objection period this Decision Notice may be approved (signed) following the fifth business day following the end of the objection filing period (36 CFR 218.12(c)(2)) and the project implemented immediately. I expect to begin implementing this project in 2019.

If an objection is received by the close of the fifth business day following the objection filing period, a Reviewing Officer will have 45 days for review of project objections which can be extended for up to 30 days when necessary to provide adequate response to objections or to participate in discussions with parties.

CONTACT

For further information concerning the Sullivan Creek Recreation Sites project, contact Kate Day, Hydropower Coordinator, 509-684-7230, kateday@fs.fed.us.

Approved by:

GAYNE SEARS
District Ranger
Newport-Sullivan Lake Ranger Districts
Colville National Forest

Date

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